

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE: LOCAL TV ADVERTISING
ANTITRUST LITIGATION**

Master Docket No. 18 C 06785

MDL No. 2867

Honorable Virginia M. Kendall

SUPPLEMENTAL DECLARATION OF GINA M. INTREPIDO-BOWDEN

I, Gina M. Intrepido-Bowden hereby declare and state as follows:

1. I am a Vice President at JND Legal Administration LLC (“JND”). I am a judicially recognized legal notice expert with more than 20 years of legal experience designing and implementing class action legal notice programs. I have been involved in many of the largest and most complex class action notice programs, including all aspects of notice dissemination.

2. I previously submitted a *Declaration on Proposed Settlement Notice Program*, dated June 9, 2023, for this matter (“Intrepido-Bowden Declaration,” [ECF No. 988-1](#)). In its June 14, 2023 Preliminary Approval Order, this Court approved the proposed Notice Program, including the Email Notice, Postcard Notice, Print Notice, Digital Notice, Long Form Notice, and Claim Form attached to the Intrepido-Bowden Declaration as Exhibits B to G ([ECF No. 994](#)).

3. I also submitted a *Declaration in Response to Defendants’ Sealed Motion to Reconsider, Vacate, and/or Stay Orders Regarding Preliminary Approval of Settlements and Notice*, dated July 5, 2023 ([ECF No. 1006-1](#)). In its *Order Granting Plaintiffs’ Unopposed Motion for Extension of Time for Settlement Notice Program* (“Extension Order”) dated August 9, 2023 ([ECF No. 1036](#)), this Court approved the amended Long Form, Email, and Postcard Notices and

provided the Notice Program and court deadlines. In its *Amended Order Granting Preliminary Approval of Settlements with Defendants CBS, Fox, The Cox Entities, and ShareBuilders* (“Amended Order”) dated August 9, 2023 ([ECF No. 1037](#)), this Court amended paragraph 7 of the Preliminary Approval Order.

4. Upon receiving Court approval, JND began implementing the Notice Program. On August 16, 2023, we were informed that *Ad Age* changed its hard copy publication schedule, and the previously scheduled notice could no longer appear in its September 18, 2023 issue. *Ad Age* further stated that it will no longer be printing *any* hard copy publications for the remainder of 2023. As a result, JND investigated a viable alternative to the *Ad Age* print placement.

5. On August 21, 2023, JND notified Class Counsel that *Ad Age* decided to cease publishing its print version and that JND and *Ad Age* reached impasse after a series of negotiations. On August 28, 2023, JND completed its research for a viable alternative and presented the finalized modifications of the Notice Program as described herein.

6. No other print options are available. Therefore, JND proposes shifting the *Ad Age* print dollars to the current digital effort with LinkedIn, the Google Display Network (“GDN”), and key industry websites (e.g., AdAge.com, AdWeek.com, MarketingWeek.com, MediaPost.com, TVNewsCheck.com) through the digital trade desk (“OMtd”). JND proposes using the court-approved targeting outlined in ¶ 29 and ¶ 30 of the Intrepido-Bowden Declaration and the court-approved digital ads attached as Exhibit E to the Intrepido-Bowden Declaration ([ECF No. 994](#)).

7. JND negotiated a total of 1,150,000 additional digital impressions to be served over the course of the campaign—a significantly larger exposure opportunity than that which would be achieved by *Ad Age*’s approximate 61,000 print circulation.

8. JND has confirmed the placement/launch of the remaining notice efforts, including (1) the notice placement in the September print version of *AdWeek*, which is circulated to approximately 72,000 subscribers; (2) the direct notice effort to all known Settlement Class Members which launched on August 25, 2023; and (3) the digital effort which is scheduled to deliver 24 million impressions through LinkedIn, key industry websites, and GDN, and 4,000 LinkedIn in-mail sends from August 25, 2023 through September 21, 2023.

9. At this time, we seek the Court's approval to proceed with the additional 1,150,000 digital impressions; thereby bringing the total digital impressions to 25,150,000.

10. In my opinion, the Notice Program, including the proposed replacement of the *Ad Age* print publication with 1,150,000 additional digital impressions, complies with Rule 23's guidelines for class action notices, and the expected reach of the modified Notice Program remains on the high end of the 70-95% reach standard set forth by the Federal Judicial Center and will exceed that of other court approved programs.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed in Stone Harbor, New Jersey, this 31st day of August 2023.



GINA M. INTREPIDO-BOWDEN